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6                   **UNITED STATES DISTRICT COURT**  
7                   **DISTRICT OF NEVADA**

8  
9 JESSIE MATTHEW DIAZ,

10                  Petitioner,

11 vs.

12 TIMOTHY FILSON, et al.,

13                  Respondents.

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15                  Case No. 3:17-cv-00570-HDM-VPC

16                  **ORDER**

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18                  Petitioner has filed a petition for a writ of habeas corpus (ECF No. 1). The court has  
19 reviewed it pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States  
20 District Courts. The court will serve the petition upon respondents for a response.

21                  IT IS THEREFORE ORDERED that the clerk shall add Adam Paul Laxalt, Attorney  
22 General for the State of Nevada, as counsel for respondents.

23                  IT IS FURTHER ORDERED that the clerk shall electronically serve upon respondents a  
24 copy of the petition (ECF No. 1) and this order. In addition, the clerk shall return to petitioner a  
25 copy of the petition.

26                  IT IS FURTHER ORDERED that respondents shall have forty-five (45) days from the date  
27 on which the petition was served to answer or otherwise respond to the petition. Respondents shall  
28 raise all potential affirmative defenses in the initial responsive pleading, including untimeliness,  
lack of exhaustion, and procedural default. Successive motions to dismiss will not be entertained.  
If respondents file and serve an answer, then they shall comply with Rule 5 of the Rules Governing  
Section 2254 Cases in the United States District Courts, and then petitioner shall have forty-five

1 (45) days from the date on which the answer is served to file a reply. If respondents file a motion,  
2 then the briefing schedule of Local Rule LR 7-2 shall apply.

3 IT IS FURTHER ORDERED that the hard copy of any electronically filed exhibits shall be  
4 forwarded—for this case—to the staff attorneys in Las Vegas.

5 DATED: November 13, 2017.

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8 HOWARD D. MCKIBBEN  
United States District Judge

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